

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR Shinya Kato	ATTORNEY DOCKET NO.	CONFIRMATION NO. 5683	
10/766,914	01/30/2004			118452		
25944	7590	02/14/2005		EXAMINER		
OLIFF & B P.O. BOX 19		E, PLC				
ALEXANDR		22320		ART UNIT	PAPER NUMBER	
				2854		

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 2/19/64 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: A. Amendments to the specification: A. Amendded paragraph(s) do not include markings. B. New paragraph(s) should not be underlined. C. Other	docume	nt contai	tion of the following omissing the omission or non- the claims" section of ap	compliant provision n	iust be resubmitted	d (in its entirety)	of the amendments, e.g., the entire	nt
A. Not presented on a separate sheet. 37 CFR 1.72. B. Other 3. Amendments to the drawings: See Alfachment 4. Amendments to the claims: A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all claims (incl. withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.usplo.gov/web/offices/psac/dapp/copla/progonotice/forticeflyer.pdf If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment (s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable. If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bonal fide attempt to be a reply (32.CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDERS 77 CFR 1.136(a). If the amendment is a reply/fa a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to 3 final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amend	THE FO	1. Amer	dments to the specification A. Amended paragraph(s) B. New paragraph(s) should	: do not include marking		OCUMENT TO	BE NON-COMPI	LIANT:
4. Amendments to the claims: A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all claims (incl. withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable. If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37.CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a). If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the mon-compliant status of the amendment.	.0		A. Not presented on a sepa B. Other	- 0			- · ·	, ¹ .,
A. A complete listing of all of the claims is not present. B. The listing of claims does not include the text of all claims (incl. withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment (s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable. If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bonalified attempt to be a reply (37.CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a). If the amendment is a reply of a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection and is not affected by the non-compliant stays of the amendment. Legal Instrument Examiner (LIE)		3. Ame	ndments to the drawings:	See H	tachme	rt		-
If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable. If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bonal fide attempt to be a reply (37.CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a). If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.			A. A complete listing of a B. The listing of claims do C. Each claim has not bee cannot be identified. D. The claims of this ame	nes not include the text n provided with the pro	of all claims (incl. v per status identifier	, and as such, the	individual status	of each claim
If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37.CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a). If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment. Legal Instruments Examiner (LIE)	If the r this let non-en change	ww.uspto. ion-comp ter to sup try of the s in the p	gov/web/offices/pac/dapp/opla liant amendment is a PRE ply the corrected section we preliminary amendment reliminary amendment(s).	Upreognotice/officeflyer.p. LIMINARY AMEND which complies with 37 and examination on the	MENT, applicant in CFR 1.121. Failur in the merits will comine the communication of the commu	is given ONE Me e to comply with nence without co	ONTH from the 1 37 CFR 1.121 vonsideration of the	mail date of vill result in he proposed
response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment Legal Instruments Examiner (LIE)	If the 1 fide att within	ion-comp empt to t which to	liant amendment is a reply to a reply (37.CFR 1.135(c re-submit the corrected sec	 applicant is given a tion which complies w 	TIME PERIOD of the 37 CFR 1.121 in	ONE MONTH II	om the mailing o	of this notice
Legal Instruments Examiner (LIE)	respon	ise to a f	inalirejection continues to	REJECTION, this for prun from the date so	m may be an attach	nment to an Adv tion, and is not a	isory Action <u>The</u>	period for in-compliant
	Legal	Instrume			· · · · ·			

Revised Amendment Practice

- · Amendments to **Drawings**
 - must include Replacement Sheet(s) which will be entered
 - may also include <u>Annotated Marked-up</u>
 <u>Drawing(s)</u> which is not to be entered as part of
 the drawings
 - each sheet of replacement or annotated drawings must be labeled in the top margin as "replacement" or "annotated"

July 30, 2003

7

Revised Amendment Practice

- Notice of Non-Compliant Amendment
 - To be used for preliminary amendments and non-final amendments
 - On the form:
 - Identify the section of the amendment paper not in compliance (e.g., amdts to spec., amdts to clms.)
 - Specify the non-compliant item(s) (e.g., no status identifiers, no text for withdrawn claims, etc.)
 - Form completed and <u>legibly</u> signed by LIE with <u>phone</u> number. Team Leader signature no longer required
 - Non-compliant section of the amendment is not entered
 all other sections are to be entered

July 30, 2003

8